

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

DEXTER LAWRENCE GRIFFIN,

Plaintiff,

v.

BRANDON PRICE,

Defendant.

1:21-cv-01518-BAM (PC)

ORDER GRANTING MOTION FOR
EXTENSION OF TIME TO SUBMIT A **NON-
PRISONER** APPLICATION TO PROCEED
IN FORMA PAUPERIS OR PAY THE \$402.00
FILING FEE
(ECF No. 8)

ORDER TO CLERK'S OFFICE TO SEND
PLAINTIFF *IN FORMA PAUPERIS*
APPLICATION FOR A **NON-PRISONER**

THIRTY (30) DAY DEADLINE

Plaintiff Dexter Lawrence Griffin ("Plaintiff") is a civil detainee proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. Individuals detained pursuant to California Welfare and Institutions Code § 6600 *et seq.* are civil detainees and are not prisoners within the meaning of the Prison Litigation Reform Act. *Page v. Torrey*, 201 F.3d 1136, 1140 (9th Cir. 2000).

On October 18, 2021, the Court ordered Plaintiff to submit a completed application to proceed *in forma pauperis* on the appropriate form for non-prisoners or pay the filing fee within thirty (30) days. (ECF No. 7.) Plaintiff's application or filing fee is currently due on or before November 22, 2021.

Currently before the Court is Plaintiff's motion for extension of time, filed November 1, 2021. (ECF No. 8.) In his motion, which was apparently filed in six of Plaintiff's pending cases, Plaintiff requests an extension of time. Plaintiff does not specify which deadline he wishes to extend in which case, and states only that he needs additional time "on all of the current Court orders." Plaintiff does not provide a reason for the requested extension, nor does he request a

specific length of extension. (*Id.*) As the only pending deadline in this action is the deadline for Plaintiff to file his application to proceed *in forma pauperis*, the Court construes the request as a request to extend that deadline.

Having considered the request, Plaintiff has not shown good cause for the requested extension of time. Fed. R. Civ. P. 6(b). Plaintiff has not provided an explanation for his request for additional time.

Nevertheless, to provide time for Plaintiff to comply with his obligations, the Court will grant the motion for an extension of time. The Court finds an extension of thirty (30) days is appropriate. This will allow Plaintiff sufficient time to review this order and comply. **Any future requests for extension of time must be supported by a showing of good cause, and Plaintiff should specify which deadline he wishes to extend.**

Accordingly, IT IS HEREBY ORDERED as follows:

1. Plaintiff's motion for extension of time to file a non-prisoner application to proceed *in forma pauperis*, (ECF No. 8), is GRANTED;
2. The Clerk's Office shall send to Plaintiff an application to proceed *in forma pauperis* for a **non-prisoner**;
3. Within **thirty (30) days** of the date of service of this order, Plaintiff shall submit the completed and signed application to proceed *in forma pauperis* for a **non-prisoner**, or in the alternative, pay the \$402.00 filing fee for this action; and
4. **Plaintiff is warned that failure to comply with this order will result in a recommendation to dismiss this action for failure to obey a court order and failure to prosecute.**

IT IS SO ORDERED.

Dated: November 3, 2021

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE